

Remarks

Claims 1-26 are in the application. Claims 1, 11, 17, and 22 are in independent form. Reconsideration is requested.

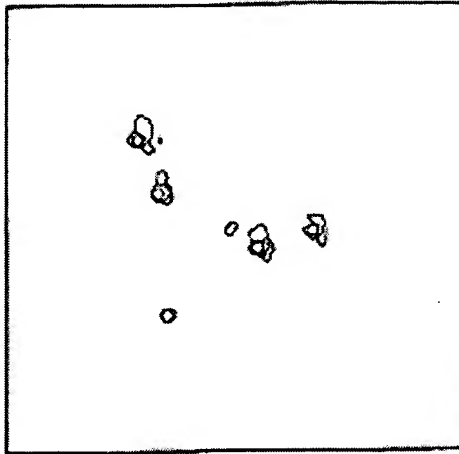
Claims 5, 8, 9, 14, 5/16, 20, and 25 are objected to as being dependent on rejected base claims, but would be allowable if rewritten in independent form.

Claims 1 and 17, and apparently also claims 2-4, 7, 11-13, 18, 19, 21-24, 26, 1/16, 2/26, 3/16, 11/16, 12/16, and 13/16, are rejected under 35 U.S.C. 102(e) as being anticipated by Nakano et al. [US 5,821,896; hereinafter Nakano]. Claims 6, 10, 10/16, and 15 are rejected under 35 U.S.C. 103(a) as being obvious over Nakano. Applicant responds as follows.

Each of independent claims 1, 11, 17, and 22 recites an optical monitoring system or method and as clarification has been amended to further recite imaging a monitored region onto an optical image plane. Various dependent claims have been amended to also recite the optical image plane for consistency. Applicant submits that independent claims 1, 11, 17, and 22, and their dependent claims, are patentably distinct from Nakano because Nakano fails to teach or suggest optical monitoring that includes imaging a monitored region onto an optical image plane.

Nakano is directed to a radar system, not an optical system. Radar, which is an acronym for "Radio Detection and Ranging," employs radio waves rather than optical light, for detection and ranging. Nakano repeatedly refers to "radar images" and "reference images," which are based upon reflected radio waves, not light. As a result, the reflected radio waves are not image on an optical image plane, as recited in the claims. As indicated at column 5, lines 33-38, for example, Fig. 3A of Nakano (reproduced below) is a radar image of a scale model of a B747 aircraft wing at a frequency of 30Ghz.

**FIG.3A**



A 30GHz. frequency corresponds to the microwave spectrum, not the optical spectrum. This radar image is clearly distinct from an optical image of the wing of a 747B airplane. It will be appreciated, therefore, that the "images" referred to by Nakano are microwave reflection patterns, not optical images.

As a result, the microwave reflection patterns of Nakano are not imaged at an optical image plane as recited in the independent claims. Nakano therefore cannot include the moving body detection sub-system, the speed detection sub-system, or the scale detection sub-system recited in the claims, because Nakano does not utilize an image in an optical plane to detect movement, speed, or size of a body. Instead, Nakano utilizes non-optical radar signal processing to make these determinations:

a size of the target is computed from a direction of a range obtained from an image and a direction of movement of a target obtained from the tracking data. And then a speed of movement of the target is obtained from a speed of the target toward the radar (a radial speed) and a direction of movement of the target. (Nakano, col. 6, lines 15-23.)

Accordingly, Nakano does not teach or suggest detecting a speed of a moving body in an optical image plane or detecting a size for the moving body in the optical image plane. Rather, Nakano is a radar system that determines the

direction of movement of a target "from tacking data," and determines the speed of movement of a target from the "speed of the target toward the radar."

Nakano tracks a target by determining where it is in space at successive times because radar inherently locates targets in the space where it is located. In the absence of optically monitoring motion of an object in the space where it is located, the optical monitoring of the present invention monitors with respect to an optical image plane. A radar system such as Nakano would therefore lead one skilled in the art away from determining the motion of an object with reference to an optical image plane. Accordingly, applicant submits that each of independent claims 1, 11, 17, and 22 is patentably distinct from the non-optical radar system of the cited reference. Applicant requests that the rejections of claims 1, 11, 17, and 22 and their dependent claims be withdrawn.

Applicants believe the application is in condition for allowance and respectfully request the same.

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Respectfully Submitted,



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